

REMARKS

The present communication is responsive to the Official Action mailed on June 4, 2004. A one-month extension of the time to reply, up to and including October 4, 2004, is being filed concurrently herewith.

In the Official Action, the Examiner rejected claims 1-7 and 10-17 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,901,303 to Chew (hereinafter "Chew"). The Examiner also rejected claims 18 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Chew as applied to claims 1-7 and 10-17 and further in view of U.S. Patent No. 6,574,677 to Song et al. (hereinafter "Song").

Applicant respectfully submits that in view of the present amendments to claims 1, 6, 11 and 16, the rejections set forth in the Official Action are now moot.

Specifically, claim 1 has been amended to now recite "comparing the code of the function read out from the read area with the code of the function written in the write area, determining that the function associated with the code written in the write area is installed in the electronic device if the comparison indicates a match, and determining that the function associated with the code written in the write area is not installed in the electronic device if the comparison does not indicate a match." Applicant respectfully submits that the amendments to claim 1 do not constitute the addition of new matter. Support for the amendments may be found by reference to, for example, paragraphs [0030] through [0032] of the specification.

Claim 6 has been amended to now recite, "wherein the main unit recognizes that the requested function can be changed if the code of the function written in the write area is the same as the code of the function read from the read area." Applicant respectfully submits that the amendment to claim 6 does not

constitute the addition of new matter. Support for the amendment may be found by reference to, for example, paragraph [0050] of the specification.

Claim 11 as been amended to now recite "wherein the main unit recognizes that the requested function is installed in the electronic device if the code of the function written in the write area is the same as the code of the function read from the read area." Support for the amendment to claim 11 may be found by reference, for example, paragraph [0050] of the specification. Therefore, applicants respectfully submit that the amendment to claim 11 does not constitute the addition of new matter.

Claim 16 has been amended to now recite "wherein the requested function is not executed if the main unit determines from a comparison of the code written in the write area and the code read from the read area that the requested function is not installed in the electronic device." Support for the amendment to claim 16 may be found by reference to, for example, paragraphs [0030] to [0032] of the specification. Applicant therefore respectfully submits that the amendment to claim 16 does not constitute the addition of new matter.

Claim 17 has been amended to correct a typographical error.

Regarding claims 1, 6, 11, and 16, the Examiner asserts that Chew teaches providing a removably connected electronic device, e.g., a smart card, that includes a register (memory) having a write area and read area, citing to Fig. 1 and column 4, lines 53-64 of Chew. The Examiner further asserts that Chew discloses that the smart card performs start-up processes and "then receives a command from the main unit (reader, column 6, lines 14-21)." (Official Action at 3.) The Examiner further asserts "It is inherent to Chew that the requested function is written into the write area of the

register (RAM) when the command is processed (col. 6, lns. 19-21). Chew then teaches the reading of a code of a function (col. 6, lns. 19-21 and 26-27, and col. 4, lns. 63, through col. 5, ln. 5), and a code associated therewith (col. 5, lns. 5-12). Chew also teaches detection of a requested function by the main reader unit (col. 4, lns. 19-25)." (*Id.*)

In view of the foregoing amendments to claims 1, 6, 11 and 16, applicant respectfully submits that Chew does not render the claims unpatentable under 35 U.S.C. § 103(a). In particular, with regard to claim 1, Chew does not disclose or suggest that a step of controlling by the main unit (reader unit in Chew) includes determining whether a function is installed in the electronic device (smart card in Chew). Indeed, in responding to applicant's arguments the Examiner states:

"In the sentence starting on [col. 6, ln. 16,] Chew teaches that the operating system, of the memory card, waits for a command from the reader. The command is then checked for validity. If valid, the transaction proceeds. If invalid, an error status is returned to the reader unit and the card again waits for another command from the reader unit."

(*Id.*, pg. 2) As such, applicant is in agreement with the Examiner that Chew's memory card performs a validity check. In Chew, therefore, the main unit does not perform any validity checks and does not determine whether a function is installed in the electronic device. In contrast, claim 1, as amended, recites that the main unit determines whether a function is installed in the electronic device. Claim 1 is therefore not obviated by Chew. Applicant further respectfully submits that Song does not make up for the deficiencies in Chew. Accordingly, Chew and Song cannot be combined in any manner to obviate claim 1.

With regard to claims 6, 11 and 16, applicant further respectfully submits that there claims are also not obviated by

Chew for at least the foregoing reasons. In addition, because all the other pending claims depend from either claims 1, 6, 11 or 16, applicant respectfully submits that these claims are also not obviated by either *Chew* or *Song*, individually or in combination, for at least the foregoing reasons.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: September 30, 2004

Respectfully submitted,

By _____
~~Orville R. Cockings~~
Registration No.: 42,424
~~LERNER, DAVID, LITTENBERG,~~
~~KRUMHOLZ & MENTLIK, LLP~~
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant